UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
---X

MARK A. FAVORS, HOWARD LEIB, LILLIE
H. GALAM, EDWARD A. MULRAINE,
WARREN SCHREIBER, and WEYMAN A.
CAREY,

        Plaintiffs,

DONNA K. KAYE, EDWIN ELLIS, AIDA
FORREST, GENE A. JOHNSON, JOY WOOLLEY,
SHEILA WRIGHT, LINDA LEE, SHING CHOR
CHUNG, JULIA YANG, JUNG HO HONG, JUAN
RAMOS, NICK CHAVARRIA, GRACIELA
HEYMAN, SANDRA MARTINEZ, EDWIN
ROLDAN, MANOLIN TIRADO, LINDA ROSE,
EVERET THOMPSON-WEREKOH, CARLOTTA
BISHOP, CAROL RINZLER, GEORGE
STAMATIADES, JOSEPHINE RODRIGUEZ,
SCOTT AUSTER, EDWIN
FIGUEROA, and SANTIAGO DIAZ

        Intervenor – Plaintiffs,

      -against-

ANDREW CUOMO, as Governor of the State
of New York, DEAN G. SKELOS, as Majority
Leader and President Pro Tempore of the Senate
of the State of New York, SHELDON SILVER,
as Speaker of the Assembly of the State of New
York, ANDREA STWEART-COUSINS, as
Minority Leader of the Senate of the State of
New York, BRIAN M. KOLB, as Minority Leader
of the Assembly of the State of New York,
the NEW YORK LEGISLATIVE TASK FORCE
ON DEMOGRAPHIC RESEARCH AND
REAPPORTIONMENT ("LATFOR"), JOHN
J. McENENY, as a Member of LATFOR, ROMAN
HEDGES, as a Member of LATFOR, MARTIN
MALAVE DILAN, as a Member of LATFOR, and
WELQUIS R. LOPEZ, as a Member of LATFOR,

        Defendants.

---X

AFFIDAVIT
FRANK C. LEWIS
Docket No. 11-cv-5632
(RR) (GEL) (DLI) (RLM)

1

STATE OF NEW YORK)

)ss:

KINGS COUNTY   )

FRANKLIN C. LEWIS, being duly sworn, deposes and says:

2. My name is Frank C. Lewis, and I am a consultant expert witness to the Center for Law and Social Justice at Medgar Evers College, CUNY ("CLSJ"), the law firm representing Plaintiffs-Intervenors in this matter. This declaration is submitted in support of Plaintiffs-Interveners motion for attorneys' fees and expert fees.

2. I received my Bachelor of Science in Mathematics, Statistics and Operations Research from Yale University in 1976. I have also done graduate work in Management Science at the Massachusetts Institute of Technology and in Applied Social Research at Queens College of the City University of New York. See Exhibit A attached hereto.

3. At present, I am an Adjunct Instructor at New York University where I have taught courses in Mathematic, Statistics, Economics, Finance, and Information Systems for nineteen years. In my Statistics course, I have taught lessons on the mathematical apportionment of City Council Districts, racial block voting analysis, ecological regression, and homogenous Analysis.

4. I have been professionally involved in every redistricting cycle since 1990. In particular, I worked as a Research Systems Analyst in the Technical System Group of the New York City Districting Commission (1990-1991); as a Systems Analyst on the Redistricting Staff of Counsel for the New York State Senate Minority (1991-1992); as a legislative districting consultant for the New York State Supreme Court, the New York City Council, and Nassau County. See Exhibit A attached hereto. In addition, I was an expert witness in the *Babylon v. NACCP* and *Rodriquez v. Pataki* cases.

5. As a consultant expert to the Plaintiffs-Intervenors, I co-authored the 2011 Unity Map Congressional Plan, along with the experts of LatinoJustice/PRLDEF and the Asian American Legal Defense and Education Fund. In particular, I, assisted by the Dr. Zulema Blair and Edwin Dei, created the Plaintiffs-Intervenors

2

proposals for congressional districting on redistricting software and facilitated their incorporation into the Unity Congressional Plan. The majority-minority districts contained in the final 2012 Congressional map adopted by the Court, with minor exceptions, were substantially similar to those contained in the Unity Map.

6. In addition, to co-authoring the Unity Map, I supplied background information to Plaintiffs-Intervenors counsel for their Proposed Complaint in Intervention and other written submissions, and at counsel's request, analyzed alternative congressional redistricting proposals that were submitted to the court. I also reviewed and analyzed census data, election data, and other relevant data. In also met with and had telephonic conferences with Plaintiffs-Intervenors' counsel, Plaintiffs-Intervenors' two other experts, Dr. Zulema Blair and Edwin Dei, and with the counsel and experts for the Lee and Ramos Plaintiffs-Intervenors.
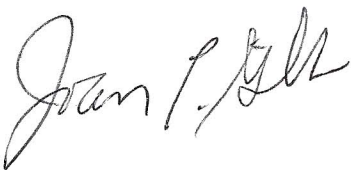
7. My time records associated with this matter are attached hereto as Exhibit B. I devoted 74 hours to this case. Plaintiffs-Intervenors have requested that I be paid at an hourly rate of $150.00. This hourly rate is reasonable in light of my skills, expertise and reputation. Accordingly, I respectfully request compensation in the amount of $ 11,100 for the 74 hours I devoted to this matter.

Dated: Brooklyn, New York
December 18, 2013

Respectfully submitted,

SWORN TO BEFORE ME THIS 19TH DAY
OF DECEMBER 2013

NOTARY PUBLIC

3

EXHIBIT A

Frank Lewis
•Mathematics and Statistics Lecturer

flewis314@yahoo.com

Summary

Statistical Analytics Consultant, Software Training Manager, and University Mathematics Instructor. Extensive experience analyzing census data for the legislative and judicial branches of government. Managed the software training of 500+ federal employees. Taught Mathematics, Statistics, Economics, Finance, and Information Systems at NYU. Earlier corporate career background in Management, Science/Operations, and Research.

Specialties

Mathematical Education, Software Training, Statistical Modeling, Data Mining, Business Analysis, Financial Analysis, Cost Benefit Analysis, Demographic Analytics, Project Management, Queuing Systems Analysis, Legislative Districting (including Conflict Resolution & Consensus Building), Court Expert Witness

Experience

Mathematics and Statistics Lecturer at New York University

September 1994 - Present (16 years 6 months)
Conducted classes in Statistics, Microeconomics, Finance, Mathematics, Information Systems & Technology on the undergraduate and graduate levels. Trained faculty in using BLACKBOARD Course Web Site creation software. Taught Data Mining technique of Stepwise Regression in Statistics course, Statistical computing support on various University Research projects (including survey analysis of "Math Anxiety"). Taught Statistics Course On-line in Synchronous and Asynchronous modes.
Software: SAS (in Linux Operating System within Sun Grid Engine), STATA, SPSS, MAPINFO, BLACKBOARD, MS ACCESS, MS EXCEL, MS POWERPOINT, ARCGIS

Consultant at Center for Law and Social Justice - Medgar Evers College, CUNY

April 2010 - Present (11 months)
Lead 3 person project team on census projection and response to Data Analytics for Kings County 2010. Conducted 6 week Seminar on using census data in public policy analysis (with focus on redistricting) for local community organizations. Co-Author of 2011 Unity Districting Plan for NY State Assembly, Senate and Congress submitted to NY State Legislative Task Force on Reapportionment and Redistricting. Co-Author of 2012 Unity New York City Council Districting Plan submitted to the NY City Council Districting Commission.

Statistical Analysis Consultant at Community Services Society of New York

April 2007 - July 2008 (1 year 4 months)

5

Performed exploratory Data Mining using Categorical Data Analysis, Data Quality Assessments; and Report Generation of extensive Survey Project on the Unemployed in NYC. Software: SPSS, MS EXCEL

Software Training Manager at MTI
December 1996 - April 2007 (10 years 5 months)
In charge of Software Training Program for 500 federal government employees in Microsoft and Lotus Software. Created course curricula for Business Analysis using Excel, Integrative Project applications of MS OFFICE, Effective PowerPoint Presentations and Web Page Creation (with MS OFFICE). Managed on-line course registration/scheduling process and personnel software education database. Software: MS PROJECT MANAGER, MS ACCESS, MS EXCEL, MS POWERPOINT, MS WORD, LOTUS NOTES, various Web-based applications.

Legislative Districting Consultant for: NY State Supreme Court; NY City Council; Nassau County; Medgar Evers College, CUNY
June 1991 - December 2003
Created several districting proposals/plans for consulting clients during NYC Council, NY State Assembly, Senate and Congress, and Nassau County Legislature for 1990/1 and 2000/1 redistricting cycles using GIS Software Arc Info and Maptitude. Also performed Ecological Regression, Factorial Ecology Analysis (a sequential procedure of Data Mining techniques), served as an Expert Witness in two federal voting rights cases. Software: MAPTITUDE, ARC/INFO, SPSS, MS OFFICE

Applications Development Consultant at Various Clients
June 1993 - October 1996
Database and Statistical Analysis consulting clients included Merrill Lynch, Columbia House, Coopers & Lybrand, BMG, CUNY, Housing Works and the NYC Voters Assistance Commission. Software: SAS, SPSS, MS ACCESS, MS EXCEL

Supervisor, Process Re-Design Analysis Unit -MIS Dept. at N.Y.C. Dept. of Personnel
July 1992 - June 1994 (2 years)
Supervised 2 Test & Measurement Specialists. Developed mathematical queuing model of voice traffic for cost-benefit analysis of telephony answering system. Applied reengineering, statistical and project management techniques in analyzing the civil service exam process. Provided software support and assistance to unit. Software: MS OFFICE, MS PROJECT MANAGER, SPSS.

Systems Analyst - Re-Districting Staff of State Senate Minority Counsel at NY State Senate
June 1991 - June 1992 (1 year 1 month)
Provided GIS, MIS and analytical support for several NY State Senators and Congressmen. Assisted in outreach effort to include community groups in the redistricting process. Software: ARC/INFO, SAS, MS OFFICE.

Research Systems Analyst -Technical Systems Group at NYC Districting Commission
October 1990 - June 1991 (9 months)

Created final boundaries for all N.Y.C. Council Districts in Kings County. Produced research papers on classical apportionment methods, calculation of theoretical minimum district size, economics, demography and the history of various neighborhoods. Supported research and analysis of various topics, such as voter registration and turnout estimation, districting decision analysis, and multidimensional scaling. GIS, MIS, analytical and conflict resolution support for members of the Commission and Staff. Software: REAPS, SPSS, MS OFFICE

Senior Analyst - Operations Research Dept., Capital Markets Systems Group at N.Y. Stock Exchange
November 1988 - October 1990 (2 years)
Trading system capacity planning and 5 year strategic forecast (resulted in annual savings of $1 million). Created ad-hoc Options data display selection system and customer service quality measurement database system. Software: APL

Financial Systems Analyst - Management Sciences Dept., Consumer Card Group at American Express
October 1983 - October 1988 (5 years 1 month)
Constructed strategic and tactical models for analysis of operations, finance and marketing functions Usage generated savings/profit of several million $$ in time/money for Travelers Cheque and Card businesses Performed various MIS duties such as software support, training and systems development. Software: SAS, JCL, TSO/MVS, ASSIST, Lotus 1-2-3

Technical Representative at Dun & Bradstreet Computing Services
December 1982 - October 1983 (11 months)
Conducted training classes in database language and financial analysis software Provided technical support for corporate and non-profit organization clients. Software: NOMAD2.

Research Assistant at NY State Assembly
January 1981 - December 1982 (2 years)
Produced economic and cost-benefit analysis for various legislative issues (particularly mass transit). Generated demographic analysis of redistricting proposals.

Planning Staff Assistant at NY Telephone
January 1980 - January 1981 (1 year 1 month)
Created strategic market system dynamics simulation model Conducted statistical time series spectrum analysis. Software: STATLIB, DYNAMO

Industrial Engineer at IBM Data Systems Division
August 1978 - December 1979 (1 year 5 months)
Conceived and implemented an inventory storage and disbursement system. Planned manufacturing line layouts and production schedules. Conducted cost-benefit, line-balancing and time-motion analysis for

7

eight different products. Software: APL

Education

City University of New York - Queens College
MS (In Pursuit), Applied Social Research, 2009 - 2014
   2 recommendations available upon request

Massachusetts Institute of Technology -Sloan School of Management
MS -ABD (All But Dissertation), Operations Research/Statistics, 1976 -1978
   1 recommendation available upon request

Yale University
BA, Math, Statistics, and Operations Research, 1976

Honors and Awards

1995 - Nassau County NAACP Community Service Award

1981 - Monroe Block Association Community Service Award

Interests

Cinema, Politics, Space Science

EXHIBIT B

FRANK LEWIS - Congressional Districting Consulting Hours

Date	Description	Number of Hours
10/4/2011	Examination of Velasquez proposed CD	2
10/10/2011	CLSJ CD Plan Creation	7
10/11/2011	CLSJ CD Plan Creation	7
10/12/2011	CLSJ CD Plan Creation	7
10/26/11	Meeting with Esmeralda Simmons	1
12/2/2011	NYVRC Meeting on Congresional Redistricting (Presentation/discussion of different plans including CLSJ)	2
12/4/2011	Development & Analysis of UNITY CD Plan Draft	3
12/5/2011	Development & Analysis of UNITY CD Plan Draft	3
12/5/2011	Black NYers for Fair redistricting meeting (Community Input/Feedback on Brooklyn Districts Configuraton)	3
12/11/2011	Work on first sraft of UNITY CD Proposal	5
12/15/2011	NYVRC Meeting on Congresional Redistricting (Review of first Draft of UNITY Plan)	1
12/16/2011	Work on final version of UNITY CD Proposal	5
12/17/2011	Work on final version of UNITY CD Proposal	5
12/18/2011	Work on final version of UNITY CD Proposal	5
12/20/2011	NYVRC Conference Call to review final UNITY plan before LATFOR submission	1
1/10/2012	Production of UNITY CD Map Copies	2
1/27/2012	NYVRC Meeting on Congresional Redistricting (Discussion of LATFOR maps and strategies	2
2/15/2012	Production of UNITY CD Map Copies	2
2/23/2012	NYVRC Meeting on Congresional Redistricting Map submission to Court & disussion on expert witness list request from Court	3
2/28/2012	Conf. Call on map submission to Court	2
3/2/2012	Meeting with Esmeralda Simmons (Analysis of other Map submissions to Court)	2
3/13/2012	Analysis & Review Meeting of Mann's maps	4
3/16/2012	Conf. Call on Public input to Court on CD map	1
Total	Total Hours	75
	Times $150 per hour	$ 11,250.00